

ZONING AND ADJUSTMENT BOARD

July 17, 2006

The Zoning and Adjustment Board of Sumter County, Florida, convened on Monday, July 17, 2006, at 6:30 P.M. with the following members present: Larry Story – Chairman, Dossie Singleton, Dale Nichols, Marge Thies, Richard Cole Jr., Frank Topping, Ron Berry and Frank Szczepanski. Rusty Mask, James Sutton, Evan Merritt, and Todd Brown were absent. Meredith Kirste - Zoning and Adjustment Board Attorney, Sandy Cassels- Secretary, Roberta Rogers-Director of Planning & Development and Bradley Cornelius-Planning Manager, were present.

Chairman Larry Story called the meeting to order.

The Board members led everyone in the pledge of allegiance and prayer.

Mr. Story presented the proof of publication.

Mr. Nichols made a motion to approve the minutes from the July 3, 2006, meeting. Mr. Berry seconded the motion and the motion carried.

T2006-0028

Charles & Kelly Roberson

Charles Roberson, applicant, was present and requesting a Temporary Use Permit (TUP) for one (1) year for a RV while a residence is being constructed. There were seven (7) notices sent. Of the seven (7) notices sent, two (2) were received in favor and none were received in objection. Mr. Cole asked Mr. Roberson how far along construction of the residence is. Mr. Roberson stated it is dried in and should be completed within 90 days.

Mr. Nichols made the motion to approve the Temporary Use Permit for one (1) year for a RV while a residence is being constructed Mr. Cole seconded the motion and the motion carried.

T2006-0030

Rene H. & Yolanda Salinas

Rene & Yolanda Salinas, applicants, were present and requesting a Temporary Use Permit for one (1) year for a RV while a residence is being constructed. There were five (5) notices sent. Of the five (5) notices sent, two (2) were received in favor and none were received in objection. Mr. Topping asked the Salinas if they were building their residence as owner/builder. Mr. Salinas explained they are building their residence as owner/builder and doing so as finances permit. Mr. Salinas stated the residence would have been completed, but their daughter had gotten ill, therefore they had to care for her.

Mr. Nichols made a motion to approve the Temporary Use Permit for one (1) year for a RV while a residence is being constructed. Mr. Cole seconded the motion and the motion carried.

T2006-0031

Franklin Wickwire

Franklin Wickwire, applicant, was present and requesting a Temporary Use Permit for three (3) years to allow a RV for a residence as a care receiver's residence. There were eight (8) notices sent. Of the eight (8) notices sent, none were received in objection or in favor. Mr. Wickwire explained his son is the person who requires care.

Mr. Nichols made a motion to approve the Temporary Use Permit for three (3) years for a RV as a care receiver's residence. Mr. Cole seconded the motion and the motion carried.

SS2006-0017

James G. Laveigne, Jr., Etal

Reggie Caruthers, representative for the applicant, was present and requesting a Small Scale Land Use Amendment on 8.217 acres MOL from Low Density Residential to Commercial. There were twenty-two (22) notices sent. Of the twenty-two (22) notices sent, six (6) were received in favor and none were received in objection. Ms. Thies asked Mr. Caruthers if he was planning on closing CR 106. Mr. Caruthers stated that at this time, it is not in the plan, although they may close CR 108. Mr. Caruthers also stated they did plan to re-pave CR 106. Mrs. Rogers stated if additional area is needed for roads, they can get it out of Area 2.

Mr. Nichols made the motion to recommend approval of the Small Scale Land Use Amendment on 8.217 acres MOL from Low Density Residential to Commercial to the Board of County Commissioners. Mr. Cole seconded the motion and the motion carried.

R2006-0054

James G. Laveigne, Jr., Etal

Reggie Caruthers, representative for the applicant, was present and requesting a rezoning on 8.217 acres MOL from RR, RR1 & A1 to CL (Light Commercial). There were twenty-two (22) notices sent. Of the twenty-two notices sent, six (6) were received in favor and none were received in objection. Mr. Caruthers stated the proposed zoning will be consistent with the development trends in this area of Oxford.

Mr. Nichols made the motion to recommend approval of the rezoning from RR, RR1 & A1 to CL on 8.217 acres MOL to the Board of County Commissioners. Mr. Cole seconded the motion and the motion carried.

R2006-0052

William & Sandra Mason

Mr. Cole made a motion to table this case until the end of the meeting as there was no representative present for the applicant. Mr. Berry seconded the motion and the motion carried.

S2006-0005

Darrell Helms

Darrell Helms, applicant, and James Wade, representative for the applicant, were present and requesting a minor Special Use Permit for a 6 COP quota alcoholic beverage license to allow the sale of mixed drinks. There were eleven (11) notices sent. Of the eleven (11) notices sent, one was received in favor and seven (7) received in objection along with a petition. There were objections from the audience. Mr. Wade objected to the authenticity of the petition since people who didn't reside in the county could have signed it. Mrs. Cassels read the letters of objection into the record. Mrs. Rogers read the petition into the record, withholding the names. Mr. Wade asked for the letter of approval to be read into the record. Mr. Wade also asked if the board members had received a copy of his letter that was submitted with the application for the Special Use Permit. The members of the board stated they had received his letter. Mr. Wade explained Mr. Helms wanted the COP Quota License so he would be permitted to sell mixed drinks along with beer and wine, which he is already permitted to sell. Mr. Wade also stated the State of Florida regulates the quota licenses regarding the population of each county and only permits a certain number of licenses for each county. Mr. Wade stated there would not be any increase in the seating at the pub or in the size of the pub. Mr. Helms submitted into the record a copy of the menu he currently has at the pub. Mr. Helms stated he had placed a suggestion box at the pub for customers. Mr. Helms stated on average there are 60 people present at the pub on weekends. Mr. Shimer, audience member, stated he has no problem with the addition of mixed drinks to the pub. Richard Clark, Mabry Williams, and Don Meders, audience members expressed their concerns

regarding mixed drinks and traffic. Mr. Topping asked Mr. Wade about the number of patrons permitted in the establishment at one time and the number of parking spaces provided. Mr. Wade stated the maximum recommended number of people is 60 and there are 20 parking spaces. Mr. Wade stated there are approximately 30 people living in the RV Park associated with the pub. Mr. Story asked about placing a restriction on the license to reflect no package sales. The differences between quota licenses and SRX licenses were discussed. The Board asked the Board Attorney to research the ability for the county to condition the Special Use Permit greater than the restrictions of the State 6 COP Quota License.

Mr. Topping made a motion to approve the minor Special Use Permit for a 6 COP Quota License for Darrell Helms with the condition of no package sales. Mr. Singleton seconded the motion and the motion carried with a 5 – 3 vote. Roll call: Frank Topping – aye, Richard Cole – aye, Frank Szczepanski – aye, Dale Nichols –nay, Marge Thies –nay, Dossie Singleton – aye, Larry Story – aye, Ron Berry - nay.

R2006-0052

William & Sandra Mason

Mr. Cole made a motion to table this case until the meeting of August 7, 2006, since there was no representative present for the applicant. Mr. Berry seconded the motion and the motion carried

Mr. Berry made a motion to adjourn the meeting at 8:00 pm. Mr. Nichols seconded the motion and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board